

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DOYLE OLLIS, JR.,)	Case No. _____
)	
Plaintiff,)	
)	
v.)	COMPLAINT, JURY DEMAND AND
)	PLACE OF TRIAL DESIGNATION
HEARTHSTONE HOMES, INC., a)	
Nebraska corporation,)	
)	
Defendant.)	

COMES NOW Plaintiff and for his cause of action against Defendant, states and alleges as follows:

1. That this is an equal employment opportunity action brought by Plaintiff in connection with employment discrimination on the basis of the religion, as well as retaliation, both in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq. and the Nebraska Fair Employment Practice Act, Neb.Rev.Stat. § 48-1101 et seq.

JURISDICTION, VENUE AND PARTIES

2. That the jurisdiction of this Court is invoked pursuant 28 U.S.C. §§ 2201 and 1367, and 42 U.S.C. § 2000e-5.

3. That venue is proper in the District of Nebraska because the actions complained of took place within the District of Nebraska.

4. That Plaintiff is a citizen of the United States and a former employee of Defendant.

5. That Defendant Hearthstone Homes, Inc. is a corporation, organized and existing under the laws of the State of Nebraska with its principal place of business in Douglas County, Nebraska.

FACTS

6. That at all time relevant to this Complaint, Plaintiff was an employee of Defendant.

7. That commensurate with his initial employment with Defendant, Defendant began instructing Plaintiff in the religious beliefs and tenets of John Smith, one of Defendant's officers and directors.

8. That Defendant further based the conditions of Plaintiff's employment upon participation in Mr. Smith's religious beliefs and tenets and that such discriminatory actions created a hostile work environment and constituted a continuing pattern of religious discrimination.

9. That Plaintiff made complaints concerning such discrimination and refused to participate in Mr. Smith's religious beliefs and tenets and that based upon such opposition, Defendant terminated Plaintiff's employment.

10. That as a direct and proximate result of the actions taken by Defendant, as alleged above, Plaintiff has suffered damages including loss of wages, pension and other benefits, bonuses and the like, as well as emotional distress and mental anguish.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

11. That Plaintiff filed a timely complaint of discrimination with the Nebraska Equal Opportunity Commission and the United States Equal Employment Opportunity Commission and, following investigation by such commissions, Plaintiff received a Notice of Right to Sue.

FIRST CAUSE OF ACTION RELIGIOUS-BASED EMPLOYMENT DISCRIMINATION

12. That for his First Cause of Action, Plaintiff realleges and incorporates by reference Paragraphs 1 through 11 of this Complaint, as if fully set forth herein.

13. That all of Defendant's discriminatory conduct towards Plaintiff, as described above, were directly based upon Plaintiff's refusal to believe and participate in the religious beliefs of Mr. Smith.

14. That Defendant, by its actions described in this Complaint, has violated both federal and state law, 42 U.S.C. § 2000e-2 and Neb.Rev.Stat. § 48-1104 respectively, which outlaw discrimination based on an employee's religious preferences.

WHEREFORE, Plaintiff prays that this Court enter judgment against Defendant on his First Cause of Action, granting Plaintiff equitable relief in the form of an injunction against further acts of discrimination by Defendant against Plaintiff, damages in the form of full back pay and reimbursement for lost pension and other benefits, bonuses and the like, compensatory damages for pain and suffering, emotional distress and mental anguish, Plaintiff's attorney's fees, costs, and disbursements expended in bringing this action and for expenses at the administrative level, punitive damages to the extent allowable by law, and such further and additional relief as this Court may deem proper and just, and that this Court maintain jurisdiction over this matter until all remedial action has been taken by Defendant.

**SECOND CAUSE OF ACTION
RETALIATION**

15. That for his Second Cause of Action, Plaintiff realleges and incorporates by reference Paragraphs 1 through 15 of this Complaint, as if fully set forth herein.

16. That Defendant's actions toward Plaintiff, as set forth above, were in retaliation for Plaintiff's refusal to believe and participate in Mr. Smith's religious practices, as well as Plaintiff's opposition to Defendant's requirement that he so participate.

17. That Defendant has violated 42 U.S.C. § 2000e-3 and Neb. Rev. Stat. § 48-1114, which prohibits retaliation by an employer against an employee who participates in the protected activity of opposing any practice made unlawful by the Civil Rights Act of 1964 and the Nebraska Fair Employment Practices Act respectively.

WHEREFORE, Plaintiff prays that this Court enter a judgment against Defendant on his Second Cause of Action, granting Plaintiff equitable relief in the form of an injunction against further acts of retaliation by Defendant against Plaintiff, damages in the form of full back pay and reimbursement for lost pension and other benefits, bonuses and the like, compensatory damages for pain and suffering, emotional distress and mental anguish, Plaintiff's attorney's fees, costs, and disbursements expended in bringing this action and for expenses at the administrative level, punitive damages to the extent allowable by law, and such further and additional relief as this Court may deem proper and just, and that this Court maintain jurisdiction over this matter until all remedial action has been taken by Defendant.

JURY DEMAND AND PLACE OF TRIAL DESIGNATION

Plaintiff hereby requests a jury trial and designates Omaha, Nebraska as the place of trial of all issues triable in the above-captioned matter.

DOYLE OLLIS, JR., Plaintiff

By: /s/Justin D. Eichmann

D.C. Bradford - #10402

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